

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

NESTOR ELIZONDO

Plaintiff,

v.

**AMERICAN MULTI-CINEMA, INC.
D/B/A AMC THEATRES EDINBURG
18,**

Defendant.

§
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§
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§
§
§
§
§
§

CIVIL ACTION NO. _____

NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Pursuant to Title 28 U.S.C. §§1332, 1441(a) and (e), and 1446, Defendant American Multi-Cinema, Inc. d/b/a AMC Edinburg 18, incorrectly named d/b/a AMC Theatres Edinburg 18, files this *Notice of Removal* to the United States District Court for the Southern District of Texas, McAllen Division, on the basis of diversity of citizenship and amount in controversy, and respectfully shows the following:

**I.
FACTUAL BACKGROUND**

1. On April 16, 2020, an action was commenced by Plaintiff Nestor Elizondo (Plaintiff) in the 206th Judicial District Court of Hidalgo County, Texas styled *Nestor Elizondo v. American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18*, Cause No. C-1382-20-D. See **Exhibit 2**.

3. On April 30, 2020, Defendant was served with a citation and Plaintiff's Original Petition through its registered agent. See **Exhibit 3**.

4. On May 22, 2020, Defendant filed its Original Answer in the 206th Judicial District Court of Hidalgo County, Texas. See **Exhibit 4**.

5. The amount in controversy exceeds \$75,000.00, exclusive of interest and costs. *See* **Exhibit 2**.

6. Defendant files this notice of removal within 30 days of receiving service of Plaintiff's pleading. *See* 28 U.S.C. §1446(b).

7. Attached hereto are copies of the following documents:

Exhibit 1: Civil Cover Sheet;

Exhibit 2: Plaintiff's Original Petition and Request for Disclosure;

Exhibit 3: Citation and Return of Service for Defendant American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18;

Exhibit 4: Original Answer of Defendant American Multi-Cinema, Inc. d/b/a AMC Edinburg 18;

Exhibit 5: Index of Matters Being Filed;

Exhibit 6: List of Parties and Counsel;

Exhibit 7: Defendant's Corporate Disclosure Statement; and

Exhibit 8: The State Court's Docket Sheet.

II. BASIS FOR REMOVAL

8. Removal is proper based upon diversity of citizenship under 28 U.S.C. §§ 1332(a)(1), 1441(a), and 1446.

A. Plaintiff and Defendant Are Diverse

9. As set forth in Plaintiff's Original Petition, Plaintiff is a citizen of the State of Texas. *See* **Exhibit 2** at ¶ 3.1.

10. At the time the lawsuit was filed, Defendant was and continues to be a Missouri corporation with its primary place of business in Leawood, Kansas.

11. Complete diversity exists between Plaintiff and Defendant.

B. The Amount in Controversy Exceeds the Jurisdictional Requirements for Subject Matter Jurisdiction

12. In Plaintiff's Original Petition, Plaintiff seeks "monetary relief of \$100,000,000.00 or less." See **Exhibit 2** at ¶ 9.1. Therefore, the amount in controversy exceeds the jurisdictional requirements.

**III.
THE REMOVAL IS PROCEDURALLY CORRECT**

13. Defendant first received notice of this lawsuit on April 30, 2020 when it was served with Plaintiff's Original Petition. See **Exhibit 3**. Thus, Defendant files this Notice within the 30-day period required by 28 U.S.C. § 1446(b).

14. Venue is proper in this District and Division under 28 U.S.C. §1446(a) because i) this District and Division include the county in which the state action has been pending, and ii) a substantial part of the events giving rise to Plaintiff's claims allegedly occurred in this District and Division. See **Exhibit 2** at ¶ 5.2 and 6.1.

14. Pursuant to 28 U.S.C. §1446(a), all pleadings, process, orders, and all other filings in the state court action are attached to this Notice.

15. Promptly after Defendant files this *Notice of Removal*, written notice of the filing will be given to Plaintiff pursuant to 28 U.S.C. §1446(d).

16. Promptly after Defendant files this *Notice of Removal*, a true and correct copy of same will be filed with the Clerk of the Hidalgo County District Court pursuant to 28 U.S.C. §1446(d).

**IV.
CONCLUSION**

17. BASED ON THE FOREGOING, Defendant American Multi-Cinema, Inc. d/b/a AMC Edinburg 18, incorrectly named as d/b/a AMC Theatres Edinburg 18, requests that this action be removed from the 206th Judicial district Court of Hidalgo

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 1, 2020, a true and correct copy of the foregoing instrument was delivered to all known counsel of record in accordance with the Federal Rules of Civil Procedure, and any applicable Local Rules, as follows:

Via E-file:

Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076
Tel: (713) 884-1663
Fax: (713) 422-2493
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com

Attorneys for Plaintiff

_____/s/ Heather H. Phelps
HEATHER H. PHELPS

EXHIBIT 1

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED **NESTOR ELIZONDO v. American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18**
 (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:	
Name: <u>Richard A. Hinojosa</u> Address: <u>150 W. Parker Rd., Ste. 201</u> City/State/Zip: <u>Houston, TX 77076</u> Signature: <u>/s/ Richard A. Hinojosa</u>		Email: <u>richardhinojosa@hinojosalaw.com</u> Telephone: <u>713-884-1663</u> Fax: <u>713-422-2493</u> State Bar No: <u>24068885</u>		Plaintiff(s)/Petitioner(s): <u>Nestor Elizondo</u> Defendant(s)/Respondent(s): <u>American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18</u> (Attach additional page as necessary to list all parties)	
				<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____	
				Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
2. Indicate case type, or identify the most important issue in the case (select only 1):					
Civil			Family Law		
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non-Title IV-D)	
<i>Debt/Contract</i> <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <i>Foreclosure</i> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input checked="" type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Paternity/Parentage <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____	
Employment	Other Civil				
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____				
Tax	Probate & Mental Health				
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	<i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____				
3. Indicate procedure or remedy, if applicable (may select more than 1):					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
4. Indicate damages sought (do not select if it is a family law case):					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000					

EXHIBIT 2

CAUSE NO. **C-1382-20-D**

NESTOR ELIZONDO,	§	IN THE DISTRICT COURT OF
Plaintiff,	§	
	§	
VS.	§	HIDALGO COUNTY, TEXAS
	§	
AMERICAN MULTI-CINEMA, INC. D/B/A	§	
AMC THEATRES EDINBURG 18,	§	
Defendant.	§	____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION & REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

Nestor Elizondo ("Plaintiff") files his Original Petition & Request for Disclosure against American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18, ("Defendant") and would respectfully show this Court and Jury as follows:

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Rule 190.1 and Rule 190.3 of the Texas Rules of Civil Procedure, Plaintiff alleges that discovery in this case should be conducted under Level 2.

II. REQUEST FOR DISCLOSURE

2.1 Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendant is requested to disclose the information and material described in Rule 194.2 within **fifty days** of the service of this request.

III. PARTIES

3.1 Plaintiff Nestor Elizondo is a resident of Edinburg, Hidalgo County, TX. The last three digits of Plaintiff's social security number are 319.

3.2 Defendant American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18 (hereinafter referred to as "AMC Edinburg 18"), foreign for-profit entity authorized to do business in the State of Texas. Process should be served on Defendant by serving its registered agent, Corporate

4-30-20 at 1:00pm

Ewanshia J. Graham
SCH# 08625
EXP 06/30/2020

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Creations Network Inc., at 5444 Westheimer #1000, Houston, TX 77056 or wherever they may be found.

IV. MISNOMER/ALTER EGO

4.1 In the event any parties are misnamed or are not included herein, it is Plaintiff's contention that such was a "misidentification," "misnomer" and/or such parties are/were "alter egos" of parties named herein. Alternatively, Plaintiff contends that such "corporate veils" should be pierced to hold such parties properly included in the interest of justice.

V. VENUE & JURISDICTION

5.1 This court has jurisdiction in this cause since the damages to Plaintiff exceed the minimum jurisdictional limits of this Court.

5.2 Venue is proper in Hidalgo County, Texas, because it is the county in which all or a substantial part of the events and/or omissions giving rise to the claim occurred. TEX. CIV. PRAC. & REM. CODE §§ 15.002(a)(2) and 15.005.

VI. FACTS

6.1 On or about January 21, 2020 Plaintiff was at AMC Edinburg 18 located at 3003 US-281, Edinburg, TX 78539. After the movie ended, Plaintiff was walking out of the theater, and into the main lobby area, when he suddenly and violently tripped and fell. Plaintiff immediately lost consciousness. When he came to, Plaintiff was in excruciating pain. He noticed he was bleeding from his head as blood gushed into his eyes. Plaintiff soon realized he could not move his arms as he attempted to wipe the blood from his eyes. He then noticed he could not move his legs or hands and feared the worst. Plaintiff was transported via ambulance to Doctors Renaissance Hospital in Edinburg, TX, where he was told he had suffered a traumatic cervical spinal cord injury, and was paralyzed from the neck down. Since the incident occurred, Plaintiff has experienced the

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unimaginable, undergoing several emergency surgical procedures to keep him alive, and has been told by his doctors that if he survives, he will be a quadriplegic for the rest of his life.

6.2 Based on eyewitness testimony, Defendant's employees and managers had actual knowledge and constructive notice of the defective condition, and a reasonable inspection would have uncovered that defective condition prior to the incident. Plaintiff's fall was due to Defendant's negligence and failure to maintain its premises in a safe condition during normal hours of operation.

6.3 This was a condition which posed an unreasonable risk of harm. Defendant was grossly negligent in not informing its invitees or posting sufficient signs warning patrons of this clear and unreasonable risk of harm. There was no information given about the dangerous carpet. There was no information given about the dangerous condition between the carpet and tile transition on Defendant's premises, and there were no signs to warn of the dangerous conditions. Nothing Plaintiff did or failed to do in any way contributed to his injuries.

6.4 Plaintiff specifically invokes his right to institute against whatever entity was conducting business under the assumed or common names of "AMC Edinburg 18," with regard to the events described in this Petition. Plaintiff expressly invokes his right under Rule 28 of the Texas Rules of Civil Procedure to have the true name of these parties substituted at a later time upon the motion of any party or of the Court.

VII. NEGLIGENCE OF DEFENDANT

7.1 Defendant owed a legal duty to Plaintiff. Specifically, Defendant owed a duty to exercise reasonable care in informing its invitees and maintaining its movie theater, property, floors, tile, and carpets in a safe condition during normal hours of operation. Defendant owed a duty to make sure their invitees were informed about the dangerous carpet condition, and the dangerous

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conditions between the carpet and tile transition in their control and on their premises. Defendant owed a duty to make sure its premises remained safe at all times.

7.2 Defendant breached the duty owed to Plaintiff by failing to properly inform its invitees and properly maintain its movie theater, lobby, property, floors, tile, and carpets in a safe condition. Defendant was negligent on the occasion in question and proximately caused Plaintiff's injuries by:

- A. In failing to inform their invitees and Plaintiff of the dangerous carpet installation, deterioration, and faulty condition;
- B. In failing to inform their invitees and Plaintiff of the carpet and tile transition, which was a dangerous condition;
- C. In failing to monitor the condition of the premises, lobby, property, floors, tile, and the carpets in its movie theater;
- D. In failing to properly train its employees;
- E. In failing to promptly inspect its properties when purchased;
- F. In failing to promptly inspect its premises;
- G. In failing to promptly repair and routinely maintain the condition of the floors, carpets, tile, and transitions in the lobby;
- H. In failing to mark off specific areas as hazardous or dangerous;
- I. In failing to provide proper supervision;
- J. In failing to provide adequate safety procedures;
- K. In failing to provide policies to remedy the issues with the carpet, tile, and transitions, which was a dangerous condition and/or hazard that it knew of, or

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in the exercise of ordinary care, should have known was present in its movie theater;

- L. In failing to warn others that dangerous conditions existed;
- M. Choosing not to properly rope off the entire area where the carpet transitioned into the tile into the lobby;
- N. In creating a hazard to others; and
- O. In more particularity to be shown at trial.

7.3 Plaintiff did not receive any warnings of the hazardous conditions of their carpets, tile, and transitions prior to the incident, and was without fault. Defendant and their agents, servants and/or employees were responsible for communication of information, the safety, maintenance, condition, securing and inspection of the carpet, tile and transitions.

7.4 At the time in question, Defendant controlled the exact property, lobby, floors, tile, carpets, and premises in question where the incident took place. Defendant owed and assumed a duty to provide information and a safe property, lobby, floors, tile, carpets, and premises. The condition of the carpets, tile, and the transitions, and the failure to properly inspect, repair, warn, secure, maintain, and inspect the carpets, tile, and the transitions posed an unreasonable risk of harm of which the Defendant had actual or constructive knowledge. Defendant breached their duty of ordinary care by failing to adequately warn Plaintiff and by failing to make the premises safe from the unreasonable carpets and tile transitions, which was a dangerous condition. The Defendant's failure to exercise reasonable care proximately caused the incident in question and resulting damages.

7.5 Each and every act and/or omission of the above, collectively and/or singularly, were a proximate cause of the incident in question and the resulting injuries to Plaintiff.

C-1382-20-D**VIII. PREMISES LIABILITY**

8.1 It has become necessary to bring this lawsuit by reason of injuries and damages suffered by Plaintiff on January 21, 2020, while on the premises owned, operated and/or maintained by Defendant, located at 3003 US-281, Edinburg, TX 78539. Plaintiff would show that on or about that date, he was an invitee on the premises when suddenly and without warning Plaintiff was injured due to the defective carpet, and tile transitions, which was a dangerous condition existing on Defendant's premises, causing Plaintiff serious permanent and painful bodily injuries. Defendant requested, allowed, permitted and encouraged Plaintiff to enter onto the premises. Consequently, Plaintiff was an invitee whom Defendant owed a duty to use ordinary care, including the duty to inspect, protect and guard Plaintiff from the unreasonable defective carpet, and tile transitions, which was a dangerous condition existing on its premises or to warn him of its existence. Plaintiff was exercising ordinary care when he was suddenly and unexpectedly injured. Plaintiff was seriously injured due to the defective carpet, and tile transitions, which was a dangerous condition and/or hazard existing on the premises which Defendant, its agents, servants, and employees knew or should have known existed caused by Defendant. As a result of the aforesaid dangerous condition, Plaintiff sustained severe and permanent injuries. Plaintiff would show that nothing he did nor failed to do caused, or in any way contributed to cause, the occurrence in question. Further, Plaintiff would respectfully show unto this Honorable Court and Jury that the Defendant failed to perform the above-stated duties and, therefore, was negligent as that term is understood under the laws of the State of Texas in one or more of the following respects:

(1) in failing to inspect and/or continually have the premises inspected for dangerous conditions and/or hazards located on the premises;

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(2) in failing to remedy the dangerous condition of the defective carpet, and tile transitions, which was a dangerous condition and/or hazard that it knew of, or in the exercise of ordinary care, should have known was present on its premises;

(3) in failing to warn persons similarly situated to Plaintiff, including Plaintiff, of the dangerous condition of the defective carpet, and tile transitions, which was a dangerous condition and/or hazard located on said premises; and

(4) in more particularity to be shown at trial.

Each and all of the above and foregoing acts on the part of the Defendant, both of omission and commission, were negligent and constituted negligence and negligence per se, and were each and all a proximate cause of the occurrence in question and the injuries and damages suffered by Plaintiff.

8.2 In the alternative, without waiving the foregoing, Plaintiff would show that he was a licensee on the premises in question occupied and/or controlled by Defendant. Defendant knew of its unreasonable defective carpet, and tile transitions, existing on their premises, which posed an unreasonable risk of harm to the general public, including Plaintiff Nestor Elizondo, but failed to make safe or adequately warn him of the condition. Plaintiff was without knowledge of the dangerous conditions of the defective carpet, and tile transitions, which was a dangerous condition of the premises prior to the incident in question.

IX. TOTAL DAMAGES

9.1 As a result of the incident made the basis of this lawsuit, Plaintiff at this time is seeking monetary relief of \$100,000,000.00 or less, at this time and a demand for judgment for all other relief to which the Plaintiff is entitled; however, Plaintiff reserves the right to file an amended pleading on this issue.

C-1382-20-D**X. DAMAGES**

10.1 Plaintiff Nestor Elizondo has suffered damages in the form of physical pain and injury, mental and emotional anguish, pain and suffering in the past, pain and suffering in the future, past and future earning capacity and economic loss, past and future physical impairment, disfigurement and past and future lost wages. Plaintiff sustained reasonable and necessary past and future medical bills and expenses, and he will, in all reasonable probability, continue to sustain such legal elements of damages in the future beyond the date of the trial of this cause.

10.2 Therefore, Plaintiff maintains this suit against Defendants for each of his foregoing legal elements of damages in a just and reasonable sum within the jurisdictional limits of this Honorable Court, to be determined under the sound discretion of the trier of fact or jury.

XI. PUNITIVE/EXEMPLARY DAMAGES

11.1 Plaintiff hereby sues the Defendant for punitive/exemplary damages. The facts and circumstances of this case allows the Court and jury to award the Plaintiff punitive/exemplary damages in that Defendant is guilty of malice and gross negligence. The determination of the amount of punitive/exemplary damages is left up to the discretion of the Court and jury in this case.

XII. GROSS NEGLIGENCE AGAINST DEFENDANT

12.1 Plaintiff would further show that Defendant was grossly negligent, as that term is defined and applied under Texas law. Specifically, Plaintiff would show that the negligent acts and/or omissions of Defendant, as set forth above, constitute acts or omissions:

- a. which, when viewed objectively from the standpoint of Defendant, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiff and/or others; and

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- b. of which Defendant had actual, subjective awareness of the risks involved, but nevertheless proceeded with conscious indifference to the rights, safety or welfare of Plaintiff and/or other.

12.2 Such gross negligence was a proximate cause of the incident made the basis of this lawsuit and the injuries and damages sustained by Plaintiff.

XIII. PRE-JUDGMENT AND POST-JUDGMENT INTEREST

13.1 In addition to the above mentioned and foregoing allegations, Plaintiff further pleads that he is entitled to pre-judgment and post-judgment interest at the highest rate allowed by law.

XIV. COURT COSTS

14.1 Plaintiff further seeks recovery of the costs of court incurred in the filing and pendency of this action.

XV. PRESERVING EVIDENCE

15.1 Plaintiff hereby requests and demands that Defendant preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit or the damages resulting there from, including statements, photographs, videotapes, audiotapes, surveillance or security tapes or information, business or medical records, incident reports, tenant files, periodic reports, financial statements, bills, telephone call slips or records, estimates, invoices, checks, measurements, correspondence, facsimiles, email, voice mail, text messages, any evidence involving the incident in question, and any electronic image or information related to the referenced incident or damages. Failure to maintain such items will constitute "spoliation" of the evidence.

C-1382-20-D**XVI. NOTICE OF AUTHENTICATION OF DOCUMENTS**

16.1 Plaintiff hereby provides actual notice to Defendant and other parties that Plaintiff will use any or every document produced by any and all other parties in response to written discovery and discovery in a pretrial proceeding or at trial.

16.2 Pursuant to TEXAS RULES OF CIVIL PROCEDURE 193.7, Defendant's production of a document in response to written discovery authenticates that document for use against Defendant unless – within ten days or a longer or shorter time ordered by this Court – Defendant objects to the authenticity of the document, or any part of it, stating the specific basis for his objection. An objection must be either on the record or in writing and must have a good faith factual and legal basis. An objection made to the authenticity of only part of a document does not affect the authenticity of the remainder.

XVII. ALTERNATIVE PARAGRAPH NO. 1

17.1 In the alternative, Plaintiff would show that if any injury and/or condition from which he currently suffers was pre-existing, then such condition was aggravated and/or exacerbated by the negligence of the Defendant herein.

XVIII. ALTERNATIVE PARAGRAPH NO. 2

18.1 In the alternative, Plaintiff would show that if he suffers from any subsequent injury and/or condition, then such injury and/or condition was aggravated and/or exacerbated by the negligence of the Defendant herein.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff Nestor Elizondo requests that Defendant be cited to appear and answer herein, that upon final trial and other hearing of this cause, Plaintiff recover damages from Defendant, jointly and severally, in accordance with the evidence,

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and as the jury deem them deserving, that Plaintiff recover costs of court herein expended, that Plaintiff recover interest to which he is justly entitled under the law, both pre-judgment and post-judgment interest from the date of the entry until paid, and for such other further relief, both general and special, both in law and in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

HINOJOSA LAW, PLLC

By: /s/ Richard A. Hinojosa

Richard A. Hinojosa
State Bar No. 24068885
150 W. Parker Rd., Ste. 201
Houston TX 77076
(713) 884-1663 Telephone
(713) 422-2493 Facsimile
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com
Attorney for Plaintiff

APR 30 2020

EXHIBIT 3



Corporate Creations Network Inc.
801 US Highway 1 North Palm Beach, FL 33408

American Multi-Cinema, Inc.
Gail McClenton Legal Administrator
AMC - American Multi-Cinema, Inc.
11500 Ash Street
Leawood KS 66211

May 01, 2020

SERVICE OF PROCESS NOTICE

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Item: 2020-113

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard. **IMPORTANT:** All changes or updates to the SOP contact individuals or their contact information must be submitted in writing to SOPcontact@corpcreations.com. Any changes will become effective upon written confirmation of Corporate Creations.

1.	Entity Served: Entity Served If Different:	American Multi-Cinema, Inc. American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18
2.	Title of Action:	Nestor Elizondo vs. American Multi-Cinema, Inc. D/B/A AMC Theatres Edinburg 18
3.	Document(s) Served:	Citation Officer's Return Plaintiff's Original Petition and Request for Disclosure
4.	Court/Agency:	Hidalgo County 206th District Court
5.	State Served:	Texas
6.	Case Number:	C-1382-20-D
7.	Case Type:	Premises Liability
8.	Method of Service:	Hand Delivered
9.	Date Received:	Thursday 04/30/2020
10.	Date to Client:	Friday 05/01/2020
11.	# Days When Answer Due: Answer Due Date:	See Notes CAUTION: Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.
12.	Sop Sender: (Name, City, State, and Phone Number)	Richard A. Hinojosa Houston, TX 713-884-1663
13.	Shipped To Client By:	Email Only with PDF Link
14.	Tracking Number:	
15.	Handled By:	441
16.	Notes:	Please note the answer is due by 10:00am on the Monday next following the expiration of twenty (20) days after service

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At Corporate Creations, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by Corporate Creations Network Inc.

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206TH DISTRICT COURT, HIDALGO COUNTY, TEXAS

CITATION
THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served with this citation and petition, a default judgment may be taken against you.

American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18
5444 Westheimer #1000
Houston TX 77056
Or wherever they may be found

You are hereby commanded to appear by filing a written answer to the **PLAINTIFF'S ORIGINAL PETITION & REQUEST FOR DISCLOSURE** on or before 10:00 o'clock a.m. on the Monday next after the expiration of twenty (20) days after the date of service hereof, before the **Honorable Rose G. Reyna, 206th District Court** of Hidalgo County, Texas at the Courthouse at 100 North Closner, Edinburg, Texas 78539.

Said petition was filed on this the 16th day of April, 2020 and a copy of same accompanies this citation. The file number and style of said suit being C-1382-20-D, **NESTOR ELIZONDO VS. AMERICAN MULTI-CINEMA, INC. D/B/A AMC THEATRES EDINBURG 18**

Said Petition was filed in said court by Attorney **RICHARD A. HINOJOSA**, 150 W PARKER RD STE 605 HOUSTON TX 77076.

The nature of the demand is fully shown by a true and correct copy of the petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at Edinburg, Texas on this the 20th day of April, 2020.

LAURA HINOJOSA, DISTRICT CLERK
100 N. CLOSNER, EDINBURG, TEXAS
HIDALGO COUNTY, TEXAS



ADRIANA GARCIA, DEPUTY CLERK



C-1382-20-D
OFFICER'S RETURN

Came to hand on ____ of _____, 202____ at ____ o'clock ____m. and executed in _____ County, Texas by delivering to each of the within named Defendant in person, a true copy of this citation, upon which I endorsed the date of delivery to said Defendant together with the accompanying copy of the _____ (petition) at the following times and places, to-wit:

NAME	DATE	TIME	PLACE

And not executed as to the defendant, _____ the diligence used in finding said defendant, being: _____ and the cause of failure to execute this process is: _____ and the information received as to the whereabouts of said defendant, being: _____. I actually and necessarily traveled _____ miles in the service of this citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

Fees: serving ... copy(s) \$ _____
miles\$ _____

DEPUTY

**COMPLETE IF YOU ARE PERSON OTHER THAN A SHERIFF,
CONSTABLE OR CLERK OF THE COURT**

In accordance to Rule 107, the officer or authorized person who serves or attempts to serve a citation must sign the return. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return must either be verified or be signed under the penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is _____, my date of birth is _____ and the address is _____, and I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in _____ County, State of Texas, on the ____ day of _____, 202____.

Declarant"

If Certified by the Supreme Court of Texas
Date of Expiration / PSC Number

EXHIBIT 4

CAUSE NO. C-1382-20-D**NESTOR ELIZONDO,**
Plaintiff,**v.****AMERICAN MULTI-CINEMA, INC.**
D/B/A AMC THEATRES EDINBURG 18,
Defendant.§
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§**IN THE DISTRICT COURT****206TH JUDICIAL DISTRICT****HIDALGO COUNTY, TEXAS****DEFENDANT AMERICAN MULTI-CINEMA, INC.**
D/B/A AMC EDINBURG 18'S ORIGINAL ANSWER

Defendant AMERICAN MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18 files its Original Answer and would show the Court as follows:

GENERAL DENIAL**I.**

Defendant generally denies the allegations contained in Plaintiff's petition and since they are allegations of fact, Plaintiff should be required to prove them by a preponderance of the evidence in accordance with the laws of the State of Texas.

PRAYER**II.**

BASED ON THE FOREGOING Defendant AMERICAN MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18 prays that Plaintiff take nothing by his suit, for the recovery of its costs in defending this suit, and for such further relief to which it is justly entitled.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Heather H. Phelps

Heather H. Phelps
State Bar No. 24042118
Kaitlin Cswaykus
State Bar No. 24094607

700 N. Pearl Street, 25th Floor
Dallas, Texas 75201
Telephone: (214) 871-8200
Fax: (214) 871-8209
E-Mail: hphelps@thompsoncoe.com
E-Mail: kcswaykus@thompsoncoe.com

ROERIG, OLIVEIRA & FISHER, L.L.P.

Victor V. Vicinaiz
State Bar No. 20562300

10225 N. Tenth Street
McAllen, Texas 78504
Telephone: (956) 393-6300 - phone
Fax: (956) 386-1625
vvicinaiz@roflp.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that the foregoing document was electronically filed on May 22, 2020, with the Clerk of the Court using the electronic filing system and that the electronic filing system will send a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document:

Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076

/s/ Heather Phelps

Heather H. Phelps
Kaitlin Cswaykus

Proof of Submission

Submission ID: 43186573

Submission Date and Time: 05/22/20 01:23 PMCDST



Case Information

Case Title: Nestor Elizondo VS. American Multi-Cinema, Inc. d/b/a AMC Theatres Client ID: 03800.041
 Edinburg 18 Cause No: C-1382-20-D
 Jurisdiction: Hidalgo County - 206th District Court Attorney: Leticia Aguilar
 Case Category: Civil - Injury or Damage Filer: Elva Jasso
 Case Type: Other Injury or Damage Payment Account: FileTime Platinum Card

Case Parties

Party Type	Name	Our Client
Plaintiff	Nestor Elizondo	No
Defendant	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	Yes

Filings

Filing Type: eFile & eServe

Filing	Documents		
Answer/Response	Document	Type	Security
	Original Answer-AMC - Elizondo.pdf	Lead Document	Does not contain sensitive data

Filing Comments:

Service Contacts

Name	Firm Name	Case Party	Email
Heather Phelps	Thompson Coe Cousins & Irons LLP	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	hphelps@thompsoncoe.com
Kaitlin Cswaykus	Thompson Coe Cousins & Irons LLP	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	kcswaykus@thompsoncoe.com
Elva Jasso	Thompson Coe Cousins & Irons LLP	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	ejasso@thompsoncoe.com
Victoria Borunda	Thompson Coe Cousins & Irons LLP	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	vbtorunda@thompsoncoe.com

Service Recipients

Name	Firm Name	Case Party	Email
Richard Hinojosa		Nestor Elizondo	richardhinojosa@hinojosalaw.com
Roxanne Hinojosa		Nestor Elizondo	roxannehinojosa@hinojosalaw.com
Melissa Brown		Nestor Elizondo	mbrown@hinojosalaw.com
Alexandra Thomas		Nestor Elizondo	athomas@hinojosalaw.com
Francisco Sanchez		Nestor Elizondo	psanchez@hinojosalaw.com
Richard Hinojosa		N/A	e-service@hinojosalaw.com
Victor Vincent Vicinaiz	Tyler Public List	American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18	wicinaiz@roflp.com

Fees Breakdown

Court Fees

Answer/Response

Filing Fee \$0.00

Total Fee For This Filing

\$0.00

Submission Fees

eFiling Manager Convenience Fee \$0.12

FileTime Service Fee \$3.99

Sales Tax on FileTime Fee \$0.33

Total Submission Fees \$4.44

Total Fees for this Submission \$4.44

Credit Card Information Breakdown

Your credit card statement will show:

Pleading

Jurisdiction (TXERLE) \$0.00

eFiling Manager (Tyler (TX)file Conv Fee) \$4.44

Notes

The above fees are **estimates only** and are subject to change after clerk review. You **should not use this page for billing purposes**. Your firm eFiling Administrator should run a billing report under **Admin > Reports**.

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

NESTOR ELIZONDO

Plaintiff,

V.

**AMERICAN MULTI-CINEMA, INC.
D/B/A AMC THEATRES EDINBURG
18,**

Defendant.

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CIVIL ACTION NO. _____

INDEX OF MATTERS BEING FILED

Pursuant to Local Rule 81, an index of matters being filed along with Defendant's Notice of Removal is as follows:

- Exhibit 1:** Civil Cover Sheet;
- Exhibit 2:** Plaintiff's Original Petition and Request for Disclosure;
- Exhibit 3:** Citation and Return of Service for Defendant American Multi-Cinema, Inc. d/b/a AMC Theatres Edinburg 18;
- Exhibit 4:** Original Answer of Defendant American Multi-Cinema, Inc. d/b/a AMC Edinburg 18;
- Exhibit 5:** Index of Matters Being Filed;
- Exhibit 6:** List of Parties and Counsel;
- Exhibit 7:** Defendant's Corporate Disclosure Statement; and
- Exhibit 8:** The State Court's Docket Sheet.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Heather H. Phelps

HEATHER H. PHELPS,

ATTORNEY IN CHARGE

Southern District Bar No. 3554184

State Bar No. 24042118

KAITLIN J. CSWAYKUS

Southern District Bar No. 3352943

State Bar No. 24094607

700 N. Pearl Street, 25th Floor

Dallas, Texas 75201

Phone: (214) 871-8200

Fax: (214) 871-8209

Email: hphelps@thompsoncoe.com

kcswaykus@thompsoncoe.com

ROERIG, OLIVEIRA & FISHER, L.L.P.

VICTOR V. VICINAIZ

Southern District Bar No. 10956

State Bar No. 20562300

10225 N. Tenth Street

McAllen, Texas 78504

Phone: (956) 393-6300

Fax: (956) 386-1625

Email: vvicinaiz@rofflp.com

**ATTORNEYS FOR DEFENDANT AMERICAN
MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 1, 2020, a true and correct copy of the foregoing instrument was delivered to all known counsel of record in accordance with the Federal Rules of Civil Procedure, and any applicable Local Rules, as follows:

Via E-file:

Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076
Tel: (713) 884-1663
Fax: (713) 422-2493
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com

Attorney for Plaintiff

/s/ Heather H. Phelps
HEATHER H. PHELPS

EXHIBIT 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

NESTOR ELIZONDO

Plaintiff,

V.

**AMERICAN MULTI-CINEMA, INC.
D/B/A AMC THEATRES EDINBURG
18,**

Defendant.

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CIVIL ACTION NO. _____

**DEFENDANT AMERICAN MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18'S
LIST OF PARTIES AND COUNSEL**

Pursuant to Local Rule 81, the following are the parties and counsel in the above-captioned matter:

1. Plaintiff: Nestor Elizondo
2. Defendant: American Multi-Cinema, Inc. d/b/a AMC Edinburg 18 (incorrectly named as d/b/a AMC Theatres Edinburg 18)
3. Plaintiff's Counsel: Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076
Tel: (713) 884-1663
Fax: (713) 422-2493
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com
4. Defendant's Counsel: Heather H. Phelps, *Attorney in Charge*
Kaitlin J. Cswaykus
Thompson, Coe, Cousins & Irons, LLP
700 N. Pearl Street, 25th Floor
Dallas, Texas 75201
Phone: (214) 871-8200
Fax: (214) 871-8209
hphelps@thompsoncoe.com
kcswaykus@thompsoncoe.com

AND

Victor V. Vicinaiz
Roerig, Oliveira & Fisher, LLP
10225 N. Tenth Street
McAllen, Texas 78504
Phone: (956) 393-6300
Fax: (956) 386-1625
vvicinaiz@rofflp.com

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Heather H. Phelps
HEATHER H. PHELPS,
ATTORNEY IN CHARGE
Southern District Bar No. 3554184
State Bar No. 24042118
KAITLIN J. CSWAYKUS
Southern District Bar No. 3352943
State Bar No. 24094607

700 N. Pearl Street, 25th Floor
Dallas, Texas 75201
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ROERIG, OLIVEIRA & FISHER, L.L.P.

VICTOR V. VICINAIZ
Southern District Bar No. 10956
State Bar No. 20562300

10225 N. Tenth Street
McAllen, Texas 78504
Phone: (956) 393-6300
Fax: (956) 386-1625
Email: vvicinaiz@rofflp.com

**ATTORNEYS FOR DEFENDANT
AMERICAN MULTI-CINEMA, INC. D/B/A
AMC EDINBURG 18**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 1, 2020, a true and correct copy of the foregoing instrument was delivered to all known counsel of record in accordance with the Federal Rules of Civil Procedure, and any applicable Local Rules, as follows:

Via E-file:

Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076
Tel: (713) 884-1663
Fax: (713) 422-2493
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com

Attorney for Plaintiff

_____/s/ Heather H. Phelps_____
HEATHER H. PHELPS

EXHIBIT 7

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

NESTOR ELIZONDO

Plaintiff,

V.

**AMERICAN MULTI-CINEMA, INC.
D/B/A AMC THEATRES EDINBURG
18,**

Defendant.

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CIVIL ACTION NO. _____

**DEFENDANT AMERICAN MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18'S
CORPORATE DISCLOSURE STATEMENT**

Pursuant to FED. R. CIV. P. 7.1, which states:

A nongovernmental corporate party to an action or proceeding in a district court must file a statement that identifies any parent corporation and any publicly held corporation that owns 10% or more of its stock or states that there is no such corporation,

DEFENDANT AMERICAN MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18,

incorrectly named as d/b/a AMC Theatres Edinburg 18 makes the following disclosure:

1. Is party a publicly held corporation or other publicly held entity?

(Check one) ☐ YES ☒ NO

2. Does party have any parent corporations?

(Check one) ☒ YES ☐ NO

3. Is 10% or more of the stock of party owned by a publicly held corporation or other publicly held entity?

(Check one) ☒ YES ☐ NO

If YES, identify all such owners: **AMC Entertainment Holdings, Inc.**

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?

(Check one) ☐ YES ☒ NO

If YES, identify entity and nature of interest: **N/A**

5. Is party a trade association?

(Check one) ☐ YES ☒ NO

If YES, identify all members of the association, their parent corporations, and any publicly held companies that own 10% or more of a member's stock: **N/A**

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Heather H. Phelps

HEATHER H. PHELPS,

ATTORNEY IN CHARGE

Southern District Bar No. 3554184

State Bar No. 24042118

KAITLIN J. CSWAYKUS

Southern District Bar No. 3352943

State Bar No. 24094607

700 N. Pearl Street, 25th Floor

Dallas, Texas 75201

Phone: (214) 871-8200

Fax: (214) 871-8209

Email: hphelps@thompsoncoe.com

kcswaykus@thompsoncoe.com

ROERIG, OLIVEIRA & FISHER, L.L.P.

VICTOR V. VICINAIZ

Southern District Bar No. 10956

State Bar No. 20562300

10225 N. Tenth Street

McAllen, Texas 78504

Phone: (956) 393-6300

Fax: (956) 386-1625

Email: vvicinaiz@rofllp.com

**ATTORNEYS FOR DEFENDANT AMERICAN
MULTI-CINEMA, INC. D/B/A AMC EDINBURG 18**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 1, 2020, a true and correct copy of the foregoing instrument was delivered to all known counsel of record in accordance with the Federal Rules of Civil Procedure, and any applicable Local Rules, as follows:

Via E-file:

Richard A. Hinojosa
Hinojosa Law, PLLC
150 W. Parker Road, Suite 201
Houston, Texas 77076
Tel: (713) 884-1663
Fax: (713) 422-2493
richardhinojosa@hinojosalaw.com
e-service@hinojosalaw.com

Attorney for Plaintiff

/s/ Heather H. Phelps
HEATHER H. PHELPS

EXHIBIT 8

[Skip to Main Content](#) [Logout](#) [My Account](#) [Search Menu](#) [New Civil Search](#) [Refine Search](#) [Back](#)
Location : All Courts [Images](#)

Register of Actions

Case No. C-1382-20-D

Nestor Elizondo VS. American Multi-Cinema, Inc.
d/b/a AMC Theatres Edinburg 18

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Case Type:

Injury or Damage -
Other (OCA)

Date Filed:

04/16/2020

Location:

206th District Court

Party Information

Defendant American Multi-Cinema, Inc.
d/b/a AMC Theatres Edinburg
18

Attorneys
Heather H. Sauter
Retained
 214-871-8200(W)

Plaintiff Elizondo, Nestor

Richard A. Hinojosa
Retained
 713-884-1663(W)

Events & Orders of the Court

OTHER EVENTS AND HEARINGS

04/16/2020 **Plaintiff's Original Petition (OCA)**
& REQUEST FOR DISCLOSURE

04/21/2020 **Citation**
 American Multi-Cinema, Inc. d/b/a
 AMC Theatres Edinburg 18 Unserved

04/21/2020 **Citation Issued**

05/22/2020 **Answer**

07/21/2020 **Tickler** (5:30 PM) (Judicial Officer Reyna, Rose G.)
 REVIEW FILE

Financial Information

Plaintiff Elizondo, Nestor

Total Financial Assessment	320.00
Total Payments and Credits	320.00
Balance Due as of 06/01/2020	0.00

04/17/2020	Transaction		
	Assessment		320.00

04/17/2020	EFile Payments	Receipt # DC-2020-006048	Elizondo, Nestor	(320.00)
	from TexFile			